



**TOWN OF DILLON**  
**Planning and Zoning Commission**  
**Regular Meeting**  
**VIA MICROSOFT TEAMS**  
**Dillon Town Hall | 275 Lake Dillon Drive | Dillon, Colorado**  
**Wednesday, March 1, 2023 | 5:30 p.m.**  
**STAFF SUMMARY**

**DATE:** March 1, 2023

**AGENDA ITEM NUMBER:** 4.a.

**ACTION TO BE CONSIDERED:**

**Consideration of Resolution No. PZ 03-23, Series of 2023 (PUBLIC HEARING)**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A WHOLESALE TRADE CLASS 1 USE IN THE CORE AREA ZONE DISTRICT LOCATED AT 325 LAKE DILLON DRIVE.**

**TOPIC:**

The Town of Dillon has received a Level III Development Permit Application for a Conditional Use Permit for a Wholesale trade class 1 in the building located at 325 Lake Dillon Drive, more specifically described as Lot C-2, Block A, New Town of Dillon Subdivision. The building vicinity map may be viewed in **Figure 1**.

**Applicant:** The Applicant is Andrew Iwashko, Mountain to Mountain Coffee Limited.

**Application Fee:** \$525

**Public Notice:**

Level III Applications require a Public Hearing before the Planning and Zoning Commission (“Planning Commission” or “Commission”). The Town posted signs of the Public Hearing on site on Tuesday, February 21, 2023. A newspaper legal notice ran in the Summit Daily (Journal) on Friday, February 17, 2023 and a mailing noticing the public hearing time and date was postmarked on Tuesday, February 21, 2023 to property owners within 300’ of the subject property. Notices were also placed in the Town of Dillon public posting locations. These dates and notification distributions are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code.



**Figure 1. 124 Main Street Building Vicinity**

**SUMMARY:**

**THE APPLICATION & CODE ANALYSIS:**

[NOTE: The following is a Dillon Municipal Code (“DMC” or the “Code”) zoning analysis and is not a building code or fire code analysis. The Applicant will need to work with their design professional, the Summit County Building Inspection Department, and Summit Fire & EMS for building and fire code compliance.]

Application Narrative Provided by Applicant:

*The overall scope of this project is to conduct a tenant buildout, transforming 325 Lake Dillon Dr Unit 101 from an existing office space into a café retail space. Applied for a conditional use permit for the purpose of having the ability to roast coffee and provide wholesale services from*

the unit. The roaster will be a 3kg electric roaster (See **Figure 2.**) that will be intended to meet in house demand and Summit County wholesale clients. The roaster will be operated on a roast-to-order basis within the hours of 9 a.m. – 6 p.m. Retail space will provide coffee and other beverages, alongside with simple food items for breakfast and lunch. The business will also have a selection of coffee beans, home brewing equipment and other mountain/coffee inspired goods for sale. The tenant buildout plans to convert the existing (3 offices and storage room) layout into a full café space. The space plans to include a plumbed in espresso bar/workspace, basic kitchen set up, and strategic seating to make sure the space feels open and inviting.

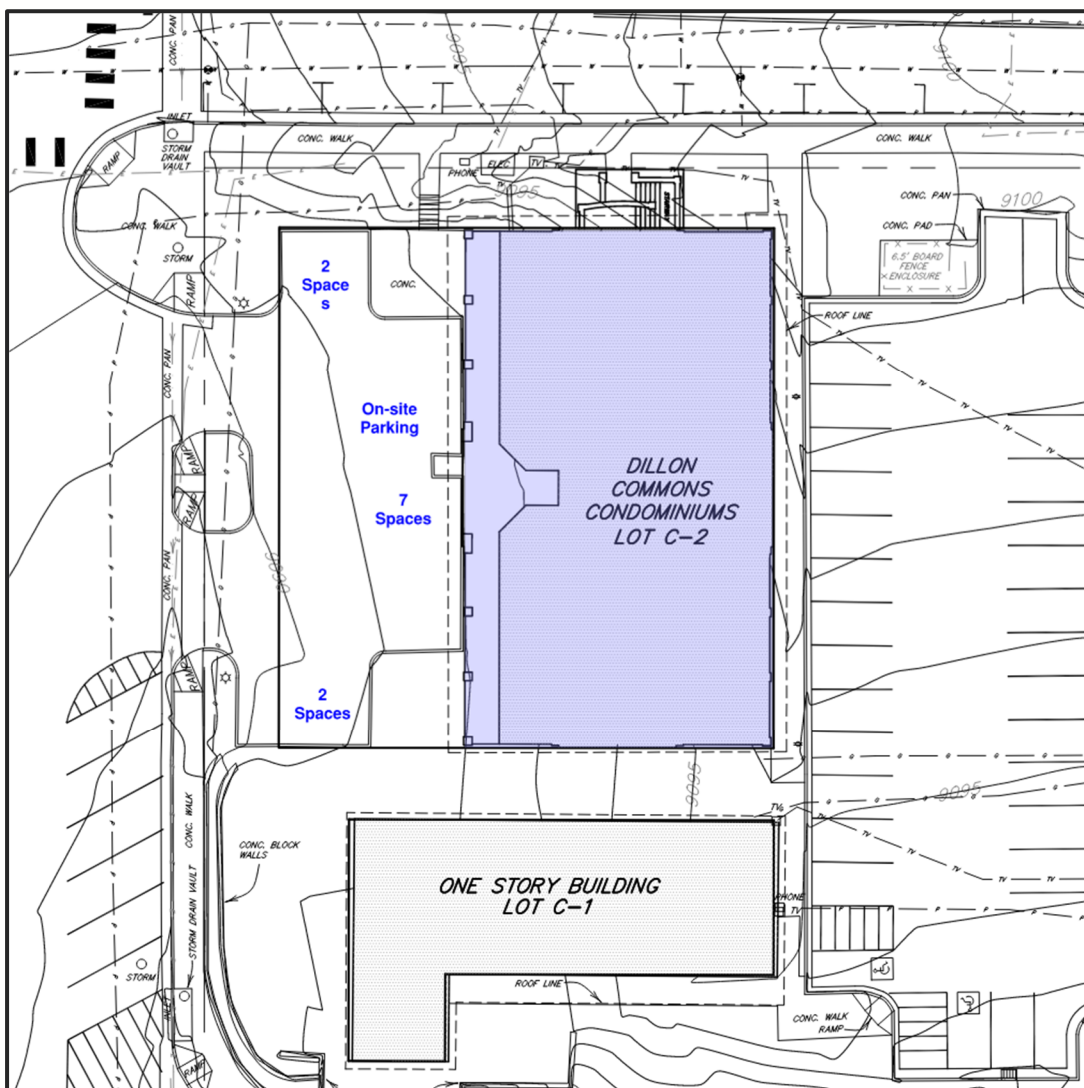


**Figure 2. Tabletop 3kg Coffee Roaster** (<https://www.roestcoffee.com/p2000>)

**Zoning District:** The Application is located in the Core Area (CA) zone district. A Wholesale trade class 1 is listed as a Conditional Use in the Core Area zone district (DMC § 16-3-150). A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity (DMC § 16-4-110).

“Wholesale trade class 1 shall be limited to brewpubs, artisan's workshops, artisan's studios and those wholesale trade establishments which manufacture, repair or assemble apparel, furniture, home furnishings, skis, snowboards, kayaks, canoes, sails, tents, backpacks, sleeping bags and other nonmotorized recreational equipment for indoor or outdoor use. This class shall also include wholesale trade establishments which **produce ingestible items**, such as food, beverages and alcoholic beverages. Allowable uses as production of ingestible items would include bakeries, confectioners and catering" (DMC § 16-1-200).

*Parking Analysis:* Unique to the Core Area (CA) zone district is that the Town of Dillon owns and maintains almost all the surface parking spaces, and those spaces in the vicinity of this building may be viewed in **Figure 2**. The site does contain eleven (11) on-site parking to serve the residential uses in the upper level of the building.



**Figure 2. 325 Lake Dillon Drive On-site & nearby parking**

The application proposes the conversion of a 1157 square foot office space to a restaurant (café) use. The Code requires one (1) parking space per 120 square feet of restaurant versus one (1) parking space per 400 square feet of office (DMC § 16-6-40). The Code provides for a mechanism wherein commercial businesses in the core Area zone district may enter into an Agreement to Pay Core Area Deficient Parking Space Fees (“Agreement”) with the Town and pay a fee for the number of parking spaces proven to be deficient in the case of a change in use or redevelopment, please refer to **Appendix ‘A’**. The fee per parking space is determined based on a sliding scale in accordance with Appendix 19-A of the Code. The estimated number of spaces required for the change in use for this business and the subsequent fee due is shown in **Table 1**. [NOTE: Town staff will work with the tenant and the property owner to determine if any of the parking provided on-site may be credited toward the required parking to finalize the payment due. The Agreement provides for a mechanism for a payment plan].

Area (SF)	Parking Credit Office Use (1/400 SF)	Parking Required Restauarant	Required Parking Spaces	Deficient Parking Spaces	Fee per Each Deficient Parking Space 1-3	Fee per Each Deficient Parking Space 4-6	Fee per Each Deficient Parking Space 7	Fee for Deficient Parking Spaces
1157	3	1 space / 120 SF	10	7	\$2,000	\$5,000	\$10,000	\$31,000

**Table 1.**

**REVIEW AND FINDINGS BY PLANNING & ZONING COMMISSION:**

**Review Criteria:**

DMC § 16-4-130 of the Dillon Municipal Code provides the following review criteria for a Conditional Use Permit application with the *Applicant responses in italics*. For the complete Code section on Conditional Uses, please see **Appendix ‘B’** of this staff summary.

1. The use is listed as an allowed conditional use within the Zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.

*A Wholesale trade class 1 for the production of consumables is listed as a Conditional Use in the Core Area zone district.*

2. The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.

*Mountain to Mountain Coffee will be located within an existing building and has no effect on above forementioned.*

3. The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.



*Only slight coffee scent in close vicinity (no more than a block) while machine is in use. The smell of roasting coffee beans is not anticipated to be a significant impact on the community and is not considered a noxious odor.*

4. The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.

*Mountain to Mountain Coffee anticipates no impacts on the other tenants / owners of the building or surrounding properties. The wholesale trade is anticipated to be a relatively limited operation, with the primary focus on in-house service, retail sales, on-line sales, and wholesale service to local Summit County clients. The long-range business plan is to find an additional location to focus on larger scale coffee bean roasting as the business grows. An deliveries will be similar to any other retail store, restaurant, or other similar such business.*

5. Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.

*The proposed unit in the building currently has plumbing and electric necessary for the business. The business will apply for and perform a tenant finish to remodel the space from an office to the proposed use.*

*Water and Sewer Tap Fees (EQRs): once the applicant determines his build-out plans and submits for the tenant finish permit, the tap fees will be determined and will have to be paid prior to the issuance of a Building Permit. Tap fees associated with a restaurant use are based on the number of seats at a rate of 0.65 EQRs per ten (10) seats.*

6. If located on an adjoining lot, the following additional criteria shall be met: the conditional use is parking or storage uses accessory to a primary single-family use.

*[This criterion does not apply to the Application.]*

7. If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:

*Mountain to Mountain Coffee has applied for a Conditional Use Permit so that on-site roasting of coffee and the wholesale business may be performed from the business location in addition to the retail sale of consumables and associated products. This type of business is identified as a wholesale trade class 1, which is a Conditional Use in the Core Area (CA) zone district.*

a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.

*Minimal impact but confidently can say it is not significant and irregular that it wouldn't impact the neighbors and surrounding community. Only when cooling ~3 mins of a 20 min roast a slight sound could be heard from inside and outside. Never past 6pm or before 9am, Preferred time are business hours. Provide neighbors with contact info in case of problems.*

b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.

*Slight impact but confidently can say it is not significant and irregular that it wouldn't impact the neighbors and surrounding community. Some people do like the smell, and it can be looked at as pleasant. Never past 6pm or before 9am, Preferred time are business hours. Provide neighbors with contact info in case of problems.*

c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. *Only delivery for pallet of coffee once every few months. Other delivery would be the same for any other café or restaurant.*

d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business. *Deliveries are brief and there are not extensive employees for the business.*

**Decision:**

If the proposed development is in compliance with conditional use criteria, the Planning and Zoning Commission may approve the application. When deemed necessary to ensure that the use meets the conditional criteria for approval, the Planning and Zoning Commission may attach conditions that relate to impacts created by the proposal.

If the proposed development is not in compliance with conditional use criteria, the Planning and Zoning Commission may deny the application.

The Planning and Zoning Commission may also continue the hearing for up to thirty-five (35) calendar days for good cause, or to allow additional information and materials to be submitted that will allow for a comprehensive review. In no event may the Planning and Zoning Commission continue a hearing for more than thirty-five (35) days unless agreed to in writing by the applicant. In the event a hearing is continued, the applicant shall submit any additional materials he or she wishes the Town to consider at least ten (10) days prior to the continued hearing, unless otherwise specified by the Town.

**BUDGET IMPACT:**

None

**STAFF RECOMMENDATION:**

Town staff recommends approval of Resolution No. PZ 03-23, Series of 2023

**MOTION FOR APPROVAL:**

I move we approve Resolution PZ No. 03-23, Series of 2023 with conditions as presented. Additional conditions may be attached to the resolution to approve by a Commissioner initiated motion.

**ACTION REQUESTED: Motion, Second, Roll Call Vote.**

Resolutions require the affirmative vote of a majority of the members present.

**DEPARTMENT HEAD RESPONSIBLE:** Ned West, AICP, Sr. Town Planner



***Appendix 'A'***  
***DMC Deficient Commercial Parking***  
***Payment Policy***

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## Sec. 16-6-50. Participation in future parking improvements and parking fees.

- (a) In those instances where the applicant for a development permit within the Core Area, including a request for a change of use, cannot or desires not to provide all parking spaces required in this Chapter, the applicant may request to enter into an agreement with the Town to pay a fee per deficient parking space as set forth below; such request may be granted or denied in the Town Council's sole discretion. Fees per deficient parking spaces shall only be charged for the number of required parking spaces a development is deficient, and no fee per deficient parking space shall be charged for parking spaces actually provided.
- (b) The right of an applicant to request and, if granted, to enter into such an agreement and make such payments, and the authority of the Town to accept such payments, shall be subject to the following limitations:
  - (1) Not applicable to residential uses. Requests to pay fees in lieu of providing parking spaces in the amount required in this Chapter shall not be granted for parking as required for residential uses. The full amount of parking spaces as required for residential uses must be provided on-site.
  - (2) Agreement. The agreement shall specify the number of spaces the project is deficient, shall indicate the applicant's agreement to pay the fee per deficient parking space, and shall be entered into prior to the issuance of a building permit.
  - (3) Amount of fee per deficient parking space. The amount of the fee per deficient parking space shall be contingent on the number of parking spaces the project is deficient as set forth in Chapter 19 of this Code.
  - (4) Payment of fee per deficient parking space. The fee per deficient parking space shall be paid in full to the Town prior to the issuance of a building permit for the project or, at the discretion of the Town, at another time as agreed to between the Town and applicant, if the fee is guaranteed by a letter of credit.
    - a. Except as provided in Subsection (7) below, fees paid to the Town are nontransferable and nonrefundable. Any fee paid in connection with the development of a particular lot, tract or parcel shall run with the land for which the fee is paid, and is nontransferable to any other lot, tract or parcel.
    - b. If the development permit for which a fee has been paid has expired, and a new application for a development permit is thereafter filed for the same parcel within five (5) years, the Town shall credit any previous payments of fees per deficient parking spaces toward any fees due for the new application.
    - c. If a change in use of a property results in a reduced requirement for off street parking under the provisions of this Chapter, no refund shall be paid by the Town with respect to off street parking spaces which are no longer required.
  - (5) Use of fees per deficient parking space by Town. The fees collected by the Town pursuant to this Section may be expended by the Town only for the following purposes:
    - a. Acquisition of real property for the construction of municipal parking facilities within the Core Area, or any area located within one-half (½) mile of the Core Area if the Town Council determines that the Core Area will benefit from the provision of parking on such property.
    - b. Development, expansion, design or capital repair of municipal parking spaces or facilities within the Core Area, or any area located within two thousand (2,000) feet of the Core Area, including but not limited to, construction costs, surveying costs, engineering, design and similar expenses related thereto.

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- c. Payment of the principal, interest and other costs of bonds, notes and other obligations issued or undertaken by or on behalf of the Town to finance the acquisition, development, expansion or capital repair of municipal parking spaces and facilities within the Core Area or within two thousand (2,000) feet of the Core Area.
- (6) Fees in lieu of deficient parking shall not be used to remedy any deficiency in capital facilities that exists without regard to the proposed development.
  - (7) Refund or credit of fees paid in lieu of providing parking.
    - a. Refund. Any fees in lieu of providing parking, or portion thereof, collected pursuant to this Section which have not been expended or which have not been committed for expenditure for eligible parking improvements or design within twenty-five (25) years from the date of payment shall be refunded, upon application, to the record owner of the property for which the fee was paid, together with interest thereon at the legal rate earned thereon by the Town from the date of collection to the date of refund.
    - b. Credit. In the event the Town forms a special improvement district for the purpose of providing public parking facilities within or adjacent to the Core Area, all parking fees (not including interest) paid within a ten-year time period immediately prior to the formation of the district shall be credited toward the assessments of each lot for which the fees were previously paid.
  - (8) Parking account.
    - a. The Finance Director shall establish an interest-bearing account into which all fees per deficient parking space collected by the Town pursuant to this Section shall be deposited. Interest earned on the account into which the fees are deposited shall be considered funds of the account and shall be used solely for eligible parking design and improvements as authorized in this Section. The fees collected and the interest earned thereon shall not be commingled with any other funds of the Town.
    - b. The Finance Director shall establish adequate financial and accounting controls to ensure that the fees per deficient parking space disbursed from the account are utilized solely for eligible parking design and improvements as authorized in this Section.

(Ord. 05-99 §1; Ord. 02-02; Ord. 05-03 §2; Ord. 01-04 §§1-3; Ord. 14-20 §3; Ord. 13-21 §§4, 5)

***Appendix 'B'***  
***DMC Conditional Use Permit***

## *Division 2 Conditional Uses*

### **Sec. 16-4-110. Purpose.**

A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity. In some instances, conditional uses may be referred to in this Chapter as a special review. In those instances, the special review shall mean a conditional use, and shall be treated as such hereunder.

### **Sec. 16-4-120. Authorization.**

Uses listed as conditional uses within any zoning district may be approved by the Planning Commission, following an application on forms provided by the Town and payment of the fee established by resolution or ordinance of the Town Council, and after at least one (1) public hearing, if the criteria contained in this Division have been satisfied. Conditional uses shall be established and maintained in accordance with the applicable development standards within the zoning district in which the use is located, and any conditions imposed as part of the approval.

### **Sec. 16-4-130. Conditional use criteria.**

The following criteria, in addition to other applicable criteria in this Chapter, shall be used to review and decide conditional use permit applications.

- (1) The use is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- (2) The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- (3) The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.
- (4) The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- (5) Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.
- (6) If the conditional use is parking or storage uses accessory to a primary single-family use and located on an adjoining lot, the following additional criteria shall be met:
  - a. Parking shall not be allowed in any setback of the vacant lot.
  - b. There is no predetermined limit to the number of vehicles allowed on the vacant lot, but the Planning and Zoning Commission, using the perceived capacity as appropriate for the neighborhood, shall determine a maximum number of vehicles.

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- c. If more than two (2) vehicles are parked on the vacant lot, they shall be fully screened in accordance with Section 16-7-30.
  - d. No commercial vehicles are allowed to be parked or stored on the vacant lot.
- (7) If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:
- a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.
  - c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

#### **Sec. 16-4-140. Authorization of conditions.**

When deemed necessary to ensure that the use meets the criteria for approval, conditions addressing the following, or related, matters may be imposed:

- (1) Size, height and location of buildings and accessory structures.
- (2) Landscaping when necessary to provide screening from incompatible adjacent uses or from public rights-of-way.
- (3) Retention of existing trees and vegetation for buffering purposes.
- (4) Size, location, screening, drainage and surfacing of driveways, parking and loading areas and street access.
- (5) Size, height, location and materials for the construction of fences to screen the subject property from incompatible adjacent uses or from public rights-of-way.
- (6) Location and intensity of outdoor lighting.
- (7) Hours of operation or conduct of particular activities.
- (8) Abatement, mitigation or prevention of nuisances.
- (9) Availability and improvement of urban services, including street improvements, dedication of street right-of-way, traffic signs and signals, sewer, storm drainage, water and turnouts and shelters for mass transportation, provided that the condition applies only to the subject property or public right-of-way or easement abutting the subject property, or impacted by the subject property.
- (10) Conditions may be imposed that require that all or part of the proposed development or use be deferred until certain events occur, such as the availability to the subject property of certain levels of service required to meet Town standards and provide for the health, safety and/or welfare of the community.



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- (11) Conditions may be imposed that require that any and all conditions imposed under this Section be recorded in the deed of records with the County Clerk and Recorder.

**Sec. 16-4-150. Limits on conditions.**

The following limits and requirements apply to conditions imposed pursuant to this Division:

- (1) Conditions shall be clear and objective; shall be reasonably related to the public health, safety and welfare; and shall be designed to reasonably effectuate their intended purpose.
- (2) If the dedication of street right-of-way or street improvements are required as provided in this Division, the provision of the dedication, improvements or funding of such shall be deferred until a building permit is obtained.

**Sec. 16-4-160. Transfer of conditional use permit.**

Unless otherwise provided in the final decision granting the conditional use permit, any conditional use permit granted pursuant to this Chapter shall run with the land, and shall automatically transfer to any new owner or occupant subject to all conditions of approval.

**Sec. 16-4-170. Duration of permit.**

- (a) Except as provided in subsection (b), a conditional use permit shall expire if an applicant fails to obtain a building permit to construct the conditional use within one (1) year of the date of conditional use permit issuance.
- (b) If the conditional use permit is issued in connection with an approved development permit, the duration of the conditional use permit shall be concurrent with the duration of the development permit pursuant to Division 11 of Article II of this Chapter.

(Ord. 04-20 §5)

**RESOLUTION NO. PZ 03-23**  
**Series of 2023**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A  
WHOLESALE TRADE CLASS 1 USE IN THE CORE AREA ZONE  
DISTRICT LOCATED AT 325 LAKE DILLON DRIVE.**

**WHEREAS**, the Planning and Zoning Commission of the Town of Dillon (“Planning Commission”) has received an application (the “Application”) for a Conditional Use Permit from Adrew Iwashko (the “Applicant”), to operate wholesale trade class 1 business, to be named Mountain to Mountain Coffee, in the Core Area (CA) zone district at 325 Lake Dillon Drive, Unit 101; and

**WHEREAS**, the Planning Commission has determined that the Application is complete; and

**WHEREAS**, following the required notice, a public hearing on the Application was held on March 1, 2023, before the Planning Commission; and

**WHEREAS**, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the use should attach to the approval of the Application.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:**

**Section 1.** The Planning Commission, following the required notice, held a public hearing on March 1, 2023 on the Application, and following said public hearing makes the following findings of fact:

- A. That the Application is complete.
- B. That the Application meets the applicable Town of Dillon Municipal Code (“Code”) requirements.
- C. That the use proposed in the Application is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- D. That the parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- E. That the proposed conditional use will not have significant adverse impacts on the air or water quality of the community.

- F. That the proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- G. That adequate public utilities and services are available at the site to serve the conditional use.
- H. That the wholesale trade class 1 will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in the multi-tenant building; will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in the multi-tenant building; will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in the multi-tenant building; and, will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

**Section 2.** The Planning Commission hereby approves the Application for a Conditional Use Permit to operate a wholesale trade class 1 in the Core Area (CA) zone district at 325 Lake Dillon Drive, Unit 101, subject to the following conditions:

- A. The Applicant shall enter into an agreement with the Town to pay a fee per deficient parking space. The payment(s) shall be made as set forth in the agreement.
- B. The coffee café and wholesale trade class 1 roasting of coffee beans business is limited to Unit 101 of the building located at 325 Lake Dillon Drive.
- C. The Applicant shall submit a complete, code compliant plan set for a tenant finish remodel and conversion of the office space into a café restaurant, wholesale coffee bean roasting and packaging, and retail space.
- D. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.
- E. Upon receipt of the final plans for the proposed remodel, the Town shall evaluate the water and sewer tap fees due associated with the change in use and the Applicant shall be invoiced. The Applicant shall pay the required tap fees in full prior to the issuance of the Building Permit.
- F. Food service and preparation are approved with this Application. Food service and preparation require review and approval by the Summit County Environmental Health Department, the review and approval of the Town of Dillon, and the installation of an under-sink grease interceptor and other required kitchen installations.
- G. The Applicant shall submit an application to the Summit County Building Inspection Department for the change in use and proposed remodel work. All final inspections and approvals shall be achieved prior to occupying the premises.

- H. The Applicant shall schedule and complete a satisfactory inspection with the Summit County Environmental Health Department and schedule and complete satisfactory subsequent inspections as required.
- I. The Applicant shall submit an application to the Summit Fire & EMS fire authority and shall schedule an inspection with the fire authority prior to occupying the premises.
- J. Annual fire authority inspections shall be performed, and copies of satisfactory inspection reports shall be provided to the Town Clerk upon completion as a component of the annual Business License.
- K. The Applicant shall apply for, receive, and maintain the required annual Business License with the Town of Dillon. The Applicant shall register with the Secretary of State prior to applying for a Business License with the Town. The Business License shall be maintained, annually renewed, and visibly displayed on the premises.
- L. No dedicated parking spaces or dedicated loading and unloading zones are applied for or approved with the Application.
- M. The Town shall perform a final inspection prior to the issuance of Certificate of Occupancy.
- N. A copy of the Certificate of Occupancy shall be provided to the Town.
- O. This Conditional Use Permit approval does not supersede federal, state, or local laws as they apply to schools and accessibility in accordance with the American Disabilities Act (ADA).
- P. The Town Manager may approve minor revisions to the Application that do not alter the character or intent of the Application as approved by this Resolution.
- Q. Building signs require application and permits issued by the Town of Dillon.

**APPROVED AND ADOPTED THIS 1<sup>ST</sup> DAY OF MARCH 2023, BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.**

**PLANNING AND ZONING COMMISSION  
TOWN OF DILLON**

By: \_\_\_\_\_  
Alison Johnston, Chairperson

ATTEST:

\_\_\_\_\_  
Michelle Haynes, Secretary to the Commission